

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FURMINATOR, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:08CV00367 ERW
)	
KIM LAUBE & CO., INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Defendants' Motion for *In Camera* Review and Suggestions in Support [doc. #273], and Defendants' Motion In Limine to Exclude Inaccurate, Improperly Obtained Evidence [doc. #261].

Defendants' Motion for *In Camera* Review was filed in conjunction with Motion and Memorandum in Support of Plaintiff's Request for Sanctions Under Federal Rule of Civil Procedure 37(b)(2) [doc. #241]. The Court denied this Motion, as moot, on December 21, 2009. Thus, Defendants' Motion for *In Camera* Review should also be denied, as moot.

Defendants' Motion in Limine to Exclude Inaccurate, Improperly Obtained Evidence [doc. #261] was filed by Defendants' prior counsel. There has been no indication by current counsel that this Motion should still be pending. As a result, the Court will deny the Motion, but will give Defendant leave to refile.


Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion for *In Camera* Review and Suggestions in Support [doc. #273] is **DENIED, as moot**. The documents submitted for *in*

camera review will be destroyed, unless the Court is notified before **May 28, 2010**, that Kim Laube & Co., Inc. intends to retrieve the documents.

IT IS FURTHER ORDERED that Defendants' Motion in Limine to Exclude Inaccurate, Improperly Obtained Evidence [doc. #261] is **DENIED, with leave to refile.**

Dated this 28th Day of April, 2010.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE